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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,548	07/03/2003	Kulvir S. Bhogal	AUS920030165US1	5848
35525	7590	01/04/2007		
IBM CORP (YA) C/O YEE & ASSOCIATES PC P.O. BOX 802333 DALLAS, TX 75380			EXAMINER KENDALL, CHUCK O	
			ART UNIT 2192	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/04/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/614,548

Applicant(s)

BHOGAL ET AL.

Examiner

Chuck O. Kendall

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/03/03</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This is in response to the application filed 07/03/2003.
2. Claims 1 – 29 have been examined.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,2, 4, 5, 8 – 15, and 17 – 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shupak USPN 6,874,140 and Charisus et al. USPN 6,983,4446.

Regarding claim 1, Shupak discloses a method comprising:

receiving a designation of a particular portion of a body of source code (Fig.2, 250, see annotation information and all associated text);

receiving a designation of an association of the particular portion of the body of source code with commentary related to the particular portion of the body of source code (Fig. 3, 310 and all associated text);

receiving a designation of a set of intended readers of the commentary (Fig. 8, 860 also see Fig. 9, 920 and all associated text). Shupak doesn't expressly disclose making the commentary and the associated particular portion of the body of source code accessible to only the set of intended readers.

However, Charisus in an analogous art and similar configuration discloses that private and public attributes, which can read by a reader of the source code regarding how the attributes should be used (32:5 – 10 also see 17:15 – 25, which shows protected and public classes).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Shupak and Charisus because, it would enable controlling access by the reader to certain classes or source instruction portions.

Regarding claim 2, the method of claim 1, wherein the set of intended readers is designated by a user's selecting the set of intended readers from a set of potential intended readers, and wherein the set of potential intended readers is acquired by accessing a directory service (Fig. 9, 920 also see Fig. 8, 860 which shows two different readers in the process).

Regarding claim 4, the method of claim 1, further comprising:

sending a notification to at least a subset of the set of intended readers to notify the at least a subset of the set of intended readers that the commentary is available

Art Unit: 2192

(Shupak, 10:35 – 40, shows receiving and reading annotation information).

Regarding claim 5, the method of claim 4, wherein the notification includes copies of the commentary and the particular portion of the body of source code (Shupak, 10:35 – 40, shows receiving and reading annotation debug information).

Regarding claim 8, the method of claim 1, further comprising: generating, from the body of source code, a second body of source code that is capable of being compiled by a compiler (Shupak, 12:5 – 10).

Regarding claim 9, Charisus further discloses the method of claim 1, further comprising: formatting the commentary and the particular portion of the body of source code for display to a user (Charisus, 2:32 – 40).

Regarding claim 10, the method of claim 1, wherein the particular portion of the body of source code is one of a subroutine, a line of code, a variable, an identifier, and a source code comment (Shupak, Fig. 2, 250 see annotation comment).

Regarding claim 11, the method of claim 1, wherein the commentary and the body of source code are recorded within a configuration management system, and wherein the commentary is made available to the set of intended readers by presenting the commentary along with the body of source code in response to a checking-out of

Art Unit: 2192

the body of source code by one of the set of intended readers (Shupak, Fig. 2, 250 see annotation comment, also see claim Fig. 3 and all associated text).

Regarding claim 12, Charisus further discloses, the method of claim 1, wherein the method is executed in an integrated development environment (Charisus, 6:50 – 54, see integrated development environment).

Regarding claim 13, the method of claim 1, wherein the method executed from a program-having a command-line interface (Shupak, Fig. 7, 720).

Regarding claim 14, the computer program product version of claim 1, see rationale above as previously discussed.

Regarding claim 15, the computer program product version of claim 2, see rationale above as previously discussed.

Regarding claim 17, the computer program product version of claim 4, see rationale above as previously discussed.

Regarding claim 18, the computer program product version of claim 5, see rationale above as previously discussed.

Regarding claim 21, the computer program product version of claim 8, see rationale above as previously discussed.

Regarding claim 22, the computer program product version of claim 9, see rationale above as previously discussed.

Regarding claim 23, the computer program product version of claim 10, see rationale above as previously discussed.

Regarding claim 24, the computer program product version of claim 11, see rationale above as previously discussed.

Regarding claim 25, the computer program product version of claim 12, see rationale above as previously discussed.

Regarding claim 26, the computer program product version of claim 13, see rationale above as previously discussed.

Regarding claim 27, the data processing system version of claim 1, see rationale above as previously discussed.

Regarding claim 28, the data processing system version of claim 2, see rationale above as previously discussed.

5. Claims 3,16 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shupak USPN 6,874,140 and Charisus et al. USPN 6,983,4446 as applied in claim 1,14 and 27 and further in view of Kay USPN 6,021,266.

Regarding claims 3 and 16, Shupak as modified with Charius discloses all the claimed limitations as applied in claims 1, 14 and 27. The combination of Shupak and Charius doesn't expressly disclose receiving a designation of a particular time period during which the commentary will be available, wherein the commentary and associated particular portion of the body of source code are accessible to the set of intended readers during the particular time period. However, Kay in an analogous art and similar configuration discloses that a user may provide timing information by annotating clock edges and also discloses scheduling (2:40 – 45). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Shupak, Charius and Kay because, it would enable providing timed information.



Art Unit: 2192

6. Claim 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shupak USPN 6,874,140 and Charisus et al. USPN 6,983,4446 as applied in claims 4 and 17 and further in view of Ben-Romdhane US 20040031015 A1.

Regarding claims 6 and 19, Shupak as modified with Charius discloses all the claimed limitations as applied in claims 4 and 17. The combination of Shupak and Charius doesn't expressly disclose wherein the notification is sent to the at least a subset of the set of intended readers via electronic mail. However Ben-Romdhane discloses a source editor which includes source annotation and also a notification trigger (e.g. email) which indicates when one or more files have been modified (0193). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Shupak, Charius and Romdhane because it would enable notifying users when source code has been modified.

7. Claims 7 and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Shupak USPN 6,874,140 and Charisus et al. USPN 6,983,4446 as applied in claims 1 and 14 and further in view of Stern USPN 6,572,661.

Regarding claim 7, Shupak as modified with Charius discloses all the claimed limitations as applied in claim 1. The combination of Shupak and Charius doesn't expressly disclose wherein the designation of an association of the particular portion of the body of source code with commentary related to the particular portion of the body of source code is represented in the form of at least one tag in a markup language,

Art Unit: 2192

wherein the at least one tag is embedded within the body of source code. However, Stern discloses in an analogous art of source code annotating the inclusions of tags in a markup language wherein the tag is embedded in the source code (FIG. 3, 312, 314, 322, and all associated text).

Regarding claim 20, the computer program product version of claim 7, see rationale above as previously discussed.

### **Correspondence information**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Kendall whose telephone number is 571-272-3698. The examiner can normally be reached on 10:00 am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Art Unit: 2192

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ck.

Chuck Kendall  
12/26/06